

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

CASE NO. 22-20552-CR-Damian/Valle

Plaintiff,

v.

DAVID RIVERA,

Defendants.

\_\_\_\_\_ //

**DAVID RIVERA’S MOTION FOR PERMISSION TO TRAVEL  
TO MADRID, SPAIN AND FOR THE RELEASE OF HIS PASSPORT**

Defendant, David Rivera (“Mr. Rivera”), through counsel, respectfully moves this Honorable Court for permission to travel to Madrid, Spain for business purposes and for the release of his passport and states:

1. Pursuant to his conditions of pretrial release, Mr. Rivera’s travel is restricted to the Northern District of Georgia, the Middle and Southern Districts of Florida and the Southern District of New York. The geographic restrictions on travel can be modified if, “the supervising officer has approved travel in advance.” ([DE-24] at p 6, par. q). However, his travel is further restricted to court appearances and meetings with counsel ([DE-24] at p 6, par. r).

2. Mr. Rivera seeks to travel to Madrid, Spain to conduct in-person consultations with members of the Venezuelan opposition.

3. January 10, 2025, is the day the Venezuelan constitution requires that the President of Venezuela be sworn-into office.

4. On July 28, 2024, the Venezuelan people overwhelmingly voted for opposition candidate Edmundo Gonzalez Urrutia to become the next President of Venezuela, defeating Nicolas Maduro.

5. The United States has recognized that Gonzalez Urrutia won the election.

6. Prior to the election, Defendant Rivera had been informally advising several leading opposition candidates regarding the July 28 election.

7. Defendant Rivera previously requested leave of court to travel to Venezuela prior to the July 28 election, at the request of opposition presidential candidates, in order to provide first-hand on the ground campaign assistance. Rivera's request was denied. [Dkt. 196]

8. Among other things, Rivera had intended to assist with the opposition's efforts to monitor, record and disseminate Election Day results.

9. Prior to the July 28, 2024, election, during the 2023 opposition primary elections, Mr. Rivera had been working with representatives of the Venezuelan opposition to assist in their efforts to increase voter participation among exiled Venezuelan voters living in the United States.

10. Mr. Rivera has a 40-year history of activism against socialist dictatorships in Venezuela and Cuba which has been documented for the Court in detail. [See Dkt. 177: 5:12-110]

11. Currently, leaders of the Venezuelan opposition led by President-elect Gonzalez Urrutia have concentrated their efforts and base of operation in Madrid, Spain, which is where President-elect Gonzalez Urrutia was forced to flee after the July 28 election due to threats to his personal safety from the Maduro regime.

12. Since July 28, Rivera has been working with leaders of the Venezuelan opposition to assist with their efforts outside of Venezuela.

13. Given the proximity of the January 10th inauguration, and the intensifying efforts of President-elect Urrutia to be sworn-in as President on that day, Rivera seeks leave of court to travel to Madrid, Spain for only three days, including travel time, which will allow Mr. Rivera to fly to Madrid, conduct a full day of pre-arranged in-person consultations with members of the anti-Maduro Venezuelan opposition, and return immediately the next day.

14. These consultations are centered on the opposition's efforts to broaden support for their objectives in the United States and other Latin American counties where Rivera has extensive experience.

15. Since the July 28, 2024, election, the Venezuelan government has shown a willingness to disparage Rivera with opposition leaders, in an effort to diminish his ability to assist in their efforts.

16. For this reason, Rivera is willing to provide the court, in an ex parte fashion, any details regarding who within the Venezuelan opposition he will be meeting with while in Madrid, Spain.

17. Mr. Rivera's pretrial officer, Alexander Moody, does not oppose the relief sought in this motion.

18. Once this request for travel has been approved by the Court, Mr. Rivera will schedule, then provide the specific flight and hotel details to his Pretrial Services officer, as well as the government, in advance of his travel.

**CERTIFICATE OF CONFERENCE**

Pursuant to Local Rule 88.9(a), undersigned counsel certifies that he has conferred with AUSA Harold Schimkat who **does oppose** the relief sought in this motion.

WHEREFORE, Rivera moves the Court for an Order permitting him to travel to Madrid, Spain and for the release of his passport.

Respectfully submitted,

**JONES WALKER LLP**

201 S. Biscayne Blvd., Suite 3000

Miami, FL 33131

Telephone: (305) 679-5700

Facsimile: (305) 679-5710

By: /s/ Edward R. Shohat

**Edward R. Shohat**

Florida Bar No. 152634

[eshohat@joneswalker.com](mailto:eshohat@joneswalker.com)

for Defendant Rivera

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY on this 6th day of December, 2024, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify the foregoing document is being served this day on all counsel of record either via transmission of Notices of Electronic Filing generated by CM/ECF or in another authorized manner for those counsel or parties not authorized to receive electronically Notices of Electronic Filing.

/s/ Edward R. Shohat

Edward R. Shohat